

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Americatel Petition for Declaratory Ruling	)	CG Docket No. 02-386
	)	
Obligations of All Local Exchange Carriers to	)	
Provide Timely and Accurate Billing Name	)	
and Address Service to Interexchange Carriers	)	
	)	
	)	

**OPPOSITION OF SBC COMMUNICATIONS INC. TO AMERICATEL’S PETITION FOR  
DECLARATORY RULING**

SBC Communications Inc. (SBC), on behalf of itself and its subsidiaries, hereby files this opposition to Americatel’s Petition for Declaratory Ruling in the above-captioned docket. Americatel, among other things, requests that the Commission enter a declaratory ruling clarifying that when any local exchange carrier (LEC) ceases to provide an end user service, the LEC has an obligation, upon request of a long distance carrier, to indicate which other LEC is providing service to the end user.

SBC opposes the request for declaratory ruling for several reasons. First, the request is procedurally defective. The Commission’s existing rules impose no such obligation on LECs, nor do any industry guidelines, and Americatel has provided no evidence to the contrary. Consequently, the Commission could not declare that LECs currently have an obligation to provide carrier identity information to long distance providers. Furthermore, because end users have the ability to change from LEC to LEC, there is no guarantee that a LEC receiving a billing name and address request has the correct information.

Second, Americatel’s request raises legal concerns. Section 222 of the Communications Act of 1934, as amended, likely bars the relief requested here. Specifically, Section 222(a) requires carriers to protect the confidentiality of proprietary information relating to other carriers

and customers.<sup>1</sup> Americatel is asking that LECs provide long distance providers carrier identity information upon request in instances where an end user has migrated to a new local exchange carrier. Such information is proprietary and LECs have a duty to protect such information under Section 222.

Third, the long-term solution for Americatel's issue should be found through further discussions within the industry. At this juncture, the forum for consideration and resolution of Americatel's concerns should be a national or industry level committee or organization.

For the foregoing reasons, SBC requests that the Commission deny Americatel's request that the Commission declare that its existing rules require LECs to share carrier identity information, as set forth above, upon the request of long distance carriers.

Respectfully Submitted,

/s/ Davida Grant

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<sup>1</sup> 47 U.S.C. §222(a).